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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,890	08/15/2001	Jong-Cheol Bae	678-671 (P9671)	9315
7590	10/06/2004		EXAMINER	HASHEM, LISA
Paul J. Farrell, Esq. DILWORTH & BARRESE, LLP 333 Earle Ovington Blvd. Uniondale, NY 11553			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/929,890	BAE ET AL.
	Examiner	Art Unit
	Lisa Hashem	2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 14 July 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) _____ is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-6 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____

FINAL DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. 2001/0050977 by Gerszber et al, hereinafter Gerszber in view of U.S. Patent No. 5,870,683 by Wells et al, hereinafter Wells.

Regarding claim 1, Gerszber discloses a method of alerting a user of an occasion date in a phone having a mode screen displaying function (see Figure 8), comprising: determining whether today is a registered occasion date (page 5, column 1, section 0043, line 1 – page 5, column 2, section 0043, line 3); the user may inherently set a first predetermined image for a mode screen (page 5, column 2, section 0043, lines 3-7), if today is not the registered occasion date; and changing the first predetermined image to a second predetermined image for the mode screen, if today is the registered occasion date (page 5, column 2, section 0043, lines 3-23).

Gerszber does not disclose a method of alerting a user of an occasion date in a phone having an idle mode screen displaying function.

Wells discloses a method of alerting a user of an occasion, e.g. a holiday, in a phone having an idle mode screen displaying function (see Abstract), comprising: setting a predetermined image, e.g. snowflakes, for an idle mode screen (column 3, line 54 – column 4,

line 36) and adding a musical tone to the predetermined image for the idle mode screen, when an incoming call is detected (column 9, lines 40-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Gerszber to include an idle mode screen displaying function as taught by Wells to provide an image when a phone is not involved in receiving a call. One of ordinary skill in the art would have been lead to make such a modification since the user can select a first and second image that corresponds to an idle mode and an occasion date, e.g. an anniversary, wherein the second image helps the user remember an occasion date.

Regarding claim 2, the method of claim 1 mentioned above, wherein Gerszber further discloses: designating a date selected by the user as the registered occasion date (page 5, column 1, section 0043, line 1 – page 5, column 2, section 0043, line 3); and registering an image selected by the user among mode screen images stored in the phone with respect to the registered occasion date (page 5, column 2, section 0043, lines 14-19).

3. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. 2001/0050977 by Gerszber et al, hereinafter Gerszber.

Regarding claim 3, Gerszber discloses a method of alerting a user of an occasion date in a phone having an incoming call ring sound or audio alteration function (page 5, column 2, section 0044, line 1 – page 5, column 2, section 0045, lines 1-4; page 5, column 2, section 0046, line 1 – page 6, column 1, section 0046, line 2), comprising: determining whether today is a registered occasion date; inherently setting a first predetermined ring sound as an incoming call ring sound, if today is not the registered occasion date (page 5, column 1, section 0043, line 1 – page 5, column 2, section 0043, line 19); and changing the first predetermined ring sound to a second

predetermined ring sound as the incoming call ring sound, if today is the registered occasion date (page 5, column 2, section 0044, lines 1-5; page 5, column 2, section 0046, line 8 – page 6, column 1, section 0046, line 2).

Regarding claim 4, the method of claim 3 mentioned above, wherein Gerszber further discloses: designating a date selected by the user as the registered occasion date; and registering a ring or audio sound selected by the user among ring sounds stored in the phone with respect to the registered occasion date (page 5, column 1, section 0043, line 1 – page 5, column 2, section 0043, line 19; page 5, column 2, section 0046, line 8 – page 6, column 1, section 0046, line).

4. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. 2001/0050977 by Gerszber et al, hereinafter Gerszber in view of U.S. Patent No. 5,870,683 by Wells et al, hereinafter Wells.

Regarding claims 5 and 6, please see the rejections of the method in claims 1-4 mentioned above to reject the method of alerting a user of an occasion date in a phone having an idle mode screen displaying function and an incoming call ring sound alteration function in claims 5 and 6.

Response to Arguments

5. Applicant's arguments filed July 14, 2004 have been fully considered but they are not persuasive.

6. Applicant argues that Gerszber does not teach 'determining whether today is a registered occasion date' or 'checking whether today is a registered occasion date'.

The examiner disagrees. Gerszber clearly discloses that a registered occasion date is programmed into the video phone by the user. The phone determines when to display a selected

image based on the preferences by the user, including time and date (page 5, column 1, section 0043, line 1 – page 5, column 2, section 0044, line 10). Gerszber further discloses ‘setting a first predetermined ring sound as an incoming call ring sound, if today is not the registered occasion date’ and ‘setting a first predetermined ring sound as an incoming call ring sound, if today is not the registered occasion date’ (page 5, column 1, section 0043, line 1 – page 5, column 2, section 0043, line 19; page 5, column 2, section 0044, lines 1-5; page 5, column 2, section 0046, line 8 – page 6, column 1, section 0046, line 2).

Gerszber does not disclose an ‘idle’ mode function. Examiner agrees with Applicant. That is why the combination of Gerszber in view of Wells is used to teach the claimed invention.

Wells clearly discloses setting a first predetermined image for an idle mode screen (see Abstract; column 3, line 54 – column 4, line 36; column 9, lines 40-46). The combination of Gerszber in view of Wells clearly discloses a method of alerting a user of an occasion date in a phone having an idle mode screen displaying function and an incoming call ring sound alteration function.

7. Accordingly, **THIS ACTION IS MADE FINAL.**

Conclusion

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for formal communications intended for entry)

Or call:

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Allan Hoosain
ALLAN HOOSAIN
PRIMARY EXAMINER

LH

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October 1, 2004